



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/623,211 Confirmation No.:  
Applicant : MARK C. DOYLE  
Filing Date : 07/18/2003  
Title : PASSIVE NEEDLE GUARD FOR SYRINGES  
Group Art Unit : 3763  
Examiner : Unassigned  
Docket No. : 706737.4007  
Customer No. : 34313

Mail Stop Patent Application  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449. In accordance with the USPTO waiver of the requirement under 37 CFR 1.98(a)(2)(i), only copies of foreign patent documents and non-patent literature are enclosed for the convenience of the Examiner.

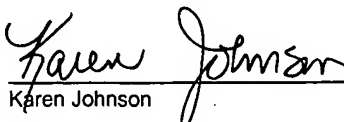
The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

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CERTIFICATE OF MAILING (37 CFR §1.8)

I hereby certify, pursuant to 37 CFR §1.8, that I have reasonable basis to expect that that this paper or fee (along with any referred to as being attached or enclosed) would be mailed or transmitted on or before the date indicated with the United States Postal Service with sufficient postage as first class mail on the date shown below in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Dated: March 25, 2004

  
Karen Johnson

DOCSOC1:149000.1

Applicant : MARK C. DOYLE  
Appl. No. : 10/623,211  
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Docket No. : 706737.4007

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

Applicant : MARK C. DOYLE  
Appl. No. : 10/623,211  
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Docket No. : 706737.4007

**STATEMENT UNDER 37 CFR § 1.97(e):**

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

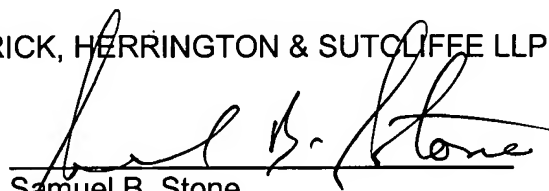
**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).  
☐ Please charge \_\_\_\_\_ to Deposit Account No. **15-0665** for the above fee(s).  
☒ The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account No. **15-0665**.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By:

  
Samuel B. Stone  
Reg. No. 19,297

Dated: March 25, 2004

ORRICK, HERRINGTON & SUTCLIFFE LLP  
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Please type a plus sign (+) in this box ☐ ☒Approved for use through 05/31/2003. OMB 0651-0031  
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Substitute for form 1449A/PTO

Complete if Known

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

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|------------------------|---------------|
| Application Number     | 10/623,211    |
| Filing Date            | 07/18/2003    |
| First Named Inventor   | Mark C. Doyle |
| Group Art Unit         | 3763          |
| Examiner Name          | Unassigned    |
| Attorney Docket Number | 706737.4007   |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | U.S. Patent Document |                        | Name of Patentee or Applicant of<br>Cited Document | Date of Publications of<br>Cited Documents<br>MM-DD-YYYY | Pages, Columns, Lines, Where<br>Relevant Passages or Relevant<br>Figures Appear |
|----------------------|--------------------------|----------------------|------------------------|--|--|---|
|                      |                          | Number               | Kind Code <sup>2</sup> |  |  |   |
|                      | 1                        | 5,242,416            | A                      | Hutson   | 09/07/1993   |   |
|                      |                          |                      |                        |  |  |   |
|                      |                          |                      |                        |  |  |   |
|                      |                          |                      |                        |  |  |   |
|                      |                          |                      |                        |  |  |   |

**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                           | Name of Patentee or Applicant of<br>Cited Document | Date of Publications<br>of Cited Documents<br>MM-DD-YYYY | Pages, Columns,<br>Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|----------------------|--------------------------|-------------------------|---------------------|---------------------------|--|--|---|----------------|
|                      |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind<br>Code <sup>5</sup> |  |  |   |                |
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**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials <sup>7</sup> | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|-----------------------------------|--------------------------|---|----------------|
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|-----------------------|------------------|--------------------|--|
| Examiner<br>Signature | DOCSOC1:149001.1 | Date<br>Considered |  |
|-----------------------|------------------|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent documents. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.